

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 98-41

May 15, 1998

TO: All Regional Directors, Officers-in-Charge,
and Resident Officers

FROM: Richard A. Siegel, Associate General Counsel

SUBJECT: Making Charge Forms Available To the Public
On the Agency's Web Site on the Internet

The Agency is beginning a six-month experiment with making charge forms available to the public on the Agency's Web Site on the Internet (www.nlr.gov). There will be a charge forms button on the Agency's Webpage. When a user clicks on this button, a screen will open containing some key instructions for completing the charge form and mailing the completed form to the appropriate Regional Office. A copy of these instructions is an attachment to this memorandum. Most importantly, the instructions encourage users to call an Information Officer in the Regional Office nearest to them for assistance in filing or drafting a charge. Below the instructions, a user will then be able to select one of the three charge forms, charge against employer, charge against a labor organization or Section 8(e) charge. The charge form may then be downloaded on the user's own computer, where the form may be filled in and the completed form may be printed. The instructions provide that the completed charge form must be signed and dated and then mailed or delivered to the appropriate Regional Office. When an individual downloads the charge form, they will also automatically receive a copy of the instructions.

Charge forms which are downloaded from the Internet will have the word "Internet" above the form number. In order to evaluate this six-month experiment, each Regional Office is requested to maintain records of the number of charges filed on forms downloaded from the Internet, whether it was necessary to contact a charging party to revise a charge on forms downloaded from the Agency's Website before the charge was docketed or disposed of by the Region, and the number of such charges which have at least partial merit. Attached to this memorandum is a survey that all Regional Offices will be asked to complete and to return to Operations on November 9, 1998.

If during this experiment any issues arise with respect to the volume of charges filed or the handling of charges on forms downloaded from the Agency's Website, please contact DAGC Jim Paulsen (202-273-2894) who will attempt to address these concerns.

Any questions concerning this memorandum should be directed to me or your Assistant General Counsel or Deputy.

/s/
R.A.S.

cc: NLRBU

Please Review the Following
Important Information
Before Filling Out a Charge Form!

- Please call an Information Officer in the Regional Office nearest you for assistance in filing a charge. The Information Officer will be happy to answer your questions about the charge form or to draft the charge on your behalf. Seeking assistance from an Information Officer may help you to avoid having the processing of your charge delayed or your charge dismissed because of mistakes made in completing the form.
- Please be advised that not every workplace action that you may view as unfair constitutes an unfair labor practice within the jurisdiction of the National Labor Relations Act (NLRA). Please click on the Help Desk button for more information on matters covered by the NLRA.
- The section of the charge form called, “Basis of Charge,” seeks only a brief description of the alleged unfair labor practice. You should **NOT** include a detailed recounting of the evidence in support of the charge or a list of the names and telephone numbers of witnesses.
- After completing the charge form, be sure to sign and date the charge and mail or deliver the completed form to the appropriate Regional Office.
- A charge should be filed with the Regional Office which has jurisdiction over the geographic area of the United States where the unfair labor practice occurred. For example, an unfair labor practice charge alleging that an employer unlawfully discharged an employee would usually be filed with the Regional Office having jurisdiction over the worksite where the employee was employed prior to his/her discharge. An Information Officer will be pleased to assist you in locating the appropriate Regional Office in which to file your charge.
- The NLRB’s Rules and Regulations state that it is the responsibility of the individual, employer or union filing a charge to timely and properly serve a copy of the charge on the person, employer or union against whom such charge is made.
- By statute, only charges filed and served within **six (6) months** of the date of the event or conduct, which is the subject of that charge, will be processed by the NLRB.

